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ROLE OF UNICEF IN THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

SUMMARY

The present report has been prepared in response to decision 1989/10, in which the Executive Board requested the secretariat, inter alia, to "report to the 1991 Executive Board on the measures it has taken to promote implementation of the provisions of the Convention within the scope of the UNICEF mandate".

The document describes the organization's current and future advocacy and programmatic actions to assist Governments in meeting their obligations under the legally binding Convention on the Rights of the Child, and it underscores the importance of continuing to use UNICEF resources for supporting action programmes at the national level to give meaning to the rights established by the Convention.

Chapter I situates the Convention in the broader context of past and current efforts to protect children's rights and to ensure their survival and development. Chapter II examines the Convention as a framework for developing policies for children and defines the advocacy and programmatic role of UNICEF in the implementation of the Convention. Chapters III and IV contain conclusions and recommendations.

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EXECUTIVE SUMMARY

The present report has been prepared in response to Executive Board decision 1989/10, in which the Board requested the secretariat, inter alia, to "report to the 1991 Executive Board on the measures it has taken to promote implementation of the provisions of the Convention within the scope of the UNICEF mandate".

The document describes the organization's current and future advocacy and programmatic actions to assist Governments in meeting their obligations under the legally binding Convention on the Rights of the Child, and it underscores the importance of continuing to use UNICEF resources for supporting action programmes at the national level to give meaning to the rights established by the Convention. It describes how the achievement of development goals for children by the year 2000 will contribute significantly to the attainment of standards enshrined in the Convention.

Based on the experiences of several countries, the paper presents preliminary conclusions on: (a) the importance of advocacy for children's rights in enhancing programme delivery and for opening the door on new opportunities for action; (b) the potential for building on the Convention's legal status to strengthen national and international alliances for children; and (c) the effectiveness of the Convention as a point of departure for broader discussions on national policies for human development, since the implementation of children's rights is also a reliable indicator for sustainable national development.

The paper also shows how the steps being taken by UNICEF to facilitate and support implementation of the Convention are rapidly becoming an integral part of ongoing UNICEF programmes. It outlines the following specific areas in which UNICEF is cooperating with efforts of developing countries to implement the Convention:

(a) The creation or further development of national mechanisms to gather gender-specific and area-specific data on children that can be used as a basis for policy development and for States' reports on compliance with the Convention. In this regard, UNICEF is preparing revised guidelines for country situation analyses to ensure that the standards set by the Convention and the range of issues it raises are systematically incorporated into the scope of these analyses;

(b) Support that will enable Governments to review legislation pertaining to children in order to ensure compliance with the norms of the Convention and with international humanitarian laws for child protection. In this undertaking, UNICEF will be guided by the branch of the Centre for Human Rights of the United Nations Office at Geneva, which is responsible for advisory services and technical assistance in the field of human rights;

(c) Support for relevant studies on issues related to the Convention;

(d) Information and education campaigns to promote knowledge and awareness of children's rights among children, youth and influential groups;

(e) Training to ensure that government and UNICEF staff, United Nations agencies and non-governmental organizations (NGOs), whose activities impact on children, are familiar with the provisions of the Convention and act to ensure that their programmes have a positive influence on progress towards full implementation of the Convention.

The paper also outlines the role that UNICEF can be expected to play in fulfilling its global mandate for children and in promoting children's rights in industrialized countries. It emphasizes the importance of national alliances for the promotion and protection of children's rights and the role that National Committees for UNICEF are expected to play within these groups. It makes the following proposals for cooperation in industrialized countries:

(a) Information and education campaigns to promote knowledge and awareness of children's rights among children, youth and influential groups;

(b) Activities with schools and youth organizations to enable children to participate in debates on the implementation of the Convention and to express their views on their own situation;

(c) Strengthening the capacity of National Committees to undertake advocacy and other activities to support implementation of the Convention;

(d) Information exchange on policies and programmes in developing countries, which are also applicable in specific situations in industrialized countries;

(e) Studies and research on various technical aspects of applying the Convention in specific circumstances where children are at greatest risk and where the problem is common to both developing and industrialized countries, for example, studies on the situation of children of migrants, and the complementarity between implementing children's rights and women's rights.

Finally, the paper makes proposals for collaboration with the monitoring body for this Convention, the Committee on the Rights of the Child, and for strengthening existing partnerships with the Centre for Human Rights, other agencies of the United Nations system and NGOs.

"The way a society treats its children reflects not only its qualities of compassion and protective caring, but also its sense of justice, its commitment to the future and its urge to enhance the human condition for coming generations ..." Javier Pérez de Cuéllar, Secretary-General of the United Nations.

I. BACKGROUND

1. The adoption of the Convention on the Rights of the Child by acclamation in the United Nations General Assembly on 20 November 1989 (resolution 44/25) and its entry into force only nine months later on 2 September 1990 has given renewed validity to the often stated view that children are a unifying force among nations. This Convention is the first legally binding human rights instrument to come into force within one year of its ratification. It adds the force of law to the principle that States have an obligation to act in the best interest of children, and it reaffirms the premise on which UNICEF was founded: that measures to protect children's rights and efforts to ensure their survival, protection and development must transcend divisive politics within and between States.

2. The Convention's entry into force is a logical sequel to decades of efforts to codify children's rights. When the General Assembly adopted resolution 1391 (XIV) of 20 November 1959, stating that "aid provided through the Fund constitutes a practical way of international cooperation to help countries carry out the aims proclaimed in the Declaration of the Rights of the Child", the protection of children's rights became an integral part of the UNICEF mandate. This mandate has been reaffirmed on several subsequent occasions by both the Executive Board and the General Assembly. It follows, therefore, that UNICEF, in cooperation with appropriate organs, organizations and bodies of the United Nations should aim to assist States in implementing the Convention on the Rights of the Child.

3. The Convention on the Rights of the Child is described by the Centre for Human Rights as "the most complete statement of children's rights ever made", 1/ and it has been referred to as, perhaps, the most comprehensive and, in many of its provisions, the most innovative human rights instrument to be drafted by the international community. It brings together norms relating to children and adolescents that have been scattered in several international instruments, it charts new territory by introducing the legal concept of children's rights to participate in the decisions affecting their lives and it underscores the importance of international cooperation for its implementation.

4. The Convention's holistic approach to children is a milestone in the evolving field of international human rights law, marking as it does a turning away from the traditional compartmentalization of human rights into civil and political on one hand, and economic, social and cultural on the other.

5. The Convention legitimizes the premise that rights and obligations are interrelated, and it paves the way for constructive dialogue and cooperation between the sectors traditionally concerned with providing services for children and those concerned with protecting their rights. The efforts of all concerned parties to ensure the application of the Convention should also be founded on this view of children.

6. In September 1990, the Heads of State or Government of 71 nations, joined by high-level representatives of another 88 countries, unanimously adopted the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s. In so doing, those leaders took a solemn commitment "to give high priority to the rights of children, to their survival and to their protection and development" (para. 19 of the Declaration), in effect a first call for children, to undertake a 10-point programme "to protect the rights of children and to improve their lives" (para. 20 of the Declaration) and to "make available the resources to meet these commitments" (para. 24 of the Declaration).

7. In responding to Executive Board decisions 1986/21, 1988/16 and 1989/10 on the Convention on the Rights of the Child, UNICEF has gained valuable experience in facilitating and promoting adoption and ratification of the Convention through cooperation at the national level with Governments, National Committees and NGOs, and through collaboration at the international level with the Centre for Human Rights and the Ad Hoc NGO Group on the Convention, now known as the NGO Group for the Convention on the Rights of the Child.

8. To date, some 67 countries from all regions of the world have become States parties to the Convention, and an additional 67 have become signatories. National and regional groups, including NGOs, have begun to examine ways in which they might cooperate with Governments and intergovernmental bodies for its application. In many instances, UNICEF offices and National Committees for UNICEF have been the facilitators of this dialogue. These experiences have further enriched the organization's understanding of its role in promoting and protecting children's rights. This review of the role UNICEF proposes to play in the implementation of the Convention draws on these experiences.

9. The Convention legally reinforces the mandate of UNICEF and other United Nations agencies to pursue the implementation of measures for child survival, protection and development. It provides Governments and international agencies with a framework for developing policies benefiting children and a platform for advocacy that is founded on international law.

10. UNICEF work in developing countries to support national efforts to implement the Convention should not be perceived as activities that fall outside the framework of regular programmes of cooperation. The established mechanisms for programme analysis, programme planning, implementation, monitoring and evaluation, as well as for information and advocacy, are the

channels through which UNICEF will support implementation of the Convention. UNICEF policy in this area can be expected to evolve and gain in specificity as a result of practical experience in the coming years. The secretariat will keep the Executive Board informed of new experiences and developments as countries move towards full implementation of the Convention.

II. UNICEF CONTRIBUTION TO IMPLEMENTING THE CONVENTION

11. Article 45 of the Convention on the Rights of the Child states the following:

> "In order to foster the effective implementation of the Convention and to encourage international cooperation in the field covered by the Convention:
>
> "(a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee [on the Rights of the Child] may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
>
> "(b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications."

12. Article 4 of the Convention encourages States to seek international cooperation, where needed, to implement economic, social and cultural rights when their own available resources are inadequate. As the United Nations lead agency for children, UNICEF has a special responsibility in this regard and proposes to continue to encourage those involved in international cooperation to be responsive to States' requests for help and to ensure that their activities in all areas create and support an environment conducive to the optimum development of children.

13. The Centre for Human Rights is the United Nations body with direct responsibility to assist the General Assembly, the Economic and Social Council, the Commission on Human Rights and the agencies of the United Nations in promoting and protecting human rights, as envisaged in the Charter of the United Nations. The Centre, therefore, has direct responsibility for

providing secretariat support to the Committee on the Rights of the Child, which is the monitoring body for the Convention, and for advisory services and technical assistance that the Committee will need or that States may request in order to meet their obligations under the Convention.

14. UNICEF has responded to the urgent and basic needs of children for over four decades, and while this continues to be the primary mission of the organization, it has also been developing as a major channel through which child-related issues can find expression at the international level and be addressed through specific programme interventions or advocacy on behalf of children. The operational capacity of UNICEF, and the expertise which the organization has developed through its programmes of cooperation throughout the world, is complementary to the capacity of the Centre for Human Rights to guide States in the technical aspects of implementing the Convention.

15. UNICEF cooperation with the Centre for Human Rights has grown since 1986 when the Board first instructed the secretariat to "participate in the work of the drafting of the Convention as appropriate" (decision 1986/21). The Centre and UNICEF have published and distributed various documents and information kits on the Convention and have collaborated in organizing technical meetings to facilitate the drafting process and to promote early adoption and ratification of the Convention. Cooperation with the Centre during the pre-adoption phase is the foundation for future work together towards the implementation of the Convention.

16. UNICEF will also continue to work with other international agencies, as appropriate, within the framework of inter-agency cooperation, in assisting Governments to transform the provisions of the Convention into programmes to protect children's rights and to enhance their chances of survival and development.

A. Convention: a framework for policies and programmes benefiting children

"It is the children who pay the highest price for our short-sighted economic policy, our political blunders, our wars ..."

Eglantyne Jebb,
Founder of the Save
the Children movement

17. UNICEF planning since the adoption of the Convention has been guided by the consensus view of children's rights embodied in the Convention. This view has helped to frame the global goals and strategies for children adopted by the Executive Board in 1990 (decision 1990/2), and the programme objectives of the medium-term plan for achieving these goals (decision 1990/3). In several countries, the Convention is already enhancing many aspects of programme delivery. Advocacy efforts that preceded adoption have strengthened

intersectoral cooperation within many Governments and have led to new alliances among Governments, NGOs and UNICEF. The global goals agreed upon by the international community, and endorsed by the heads of State and Government attending the World Summit for Children, are essential first steps towards realizing the rights outlined in the Convention. However, "the Convention embodies the most comprehensive list of goals for the well-being of children" and "its full implementation is the best guarantee of achieving the goals for children and development in the 1990s". 2/

18. The implementation provisions of the Convention (articless 42-45) seek to avoid an adverserial approach to children's rights by stressing, instead, dialogue and constructive action at the national level. The spirit of these provisions was inspired in large measure by the members of the NGO Group for the Convention on the Rights of the Child, which promoted the idea that the cooperative approach to implementation would enable countries to become States parties to the Convention, knowing that their possible inability to implement, immediately, all provisions of the Convention would not necessarily result in condemnation, but could lead to greater support through international cooperation and active NGO participation.

19. In defining the role of UNICEF in implementation, special attention has been paid to the spirit of the debate leading to adoption of the implementation provisions, which advanced the idea that the implementation of the Convention should:

(a) Provide a forum for consideration of relevant policy issues and a framework for action to be taken at the international and national levels by Governments, multilateral and bilateral agencies and NGOs;

(b) Provide an opportunity for constructive dialogue to take place on the situation of children, in the communities where they live and at national, regional and international levels;

(c) Facilitate the provision of technical assistance that States may require to enable them to meet their obligations under the Convention;

(d) Stress the importance of implementation at the family and community levels as being of primary importance.

B. Country programme: the principal vehicle for UNICEF support in implementing the Convention in developing countries

20. In a number of countries, there is growing public interest in the rights of children, and indications are that there is political will to act on implementation of the Convention. UNICEF has neither the resources nor the expertise to intervene in every problem area where children are at risk, but this operational reality does not negate the fact that all rights enshrined in the Convention are of concern to UNICEF. The Convention's holistic view of children underscores the need for Governments and United Nations agencies to take a comprehensive approach to problems affecting children in order to address their direct and underlying causes.

21. The country programme is the vehicle through which UNICEF supports countries in their efforts to transform Convention ideals into legal safeguards and practical programmes benefiting children. The goals for child survival, protection and development approved by the Executive Board in its decision 1990/2 and endorsed at the World Summit for Children, provide the scope for UNICEF action in assisting countries to implement the Convention. The following illustration of the correlation between these goals and the provisions of the Convention will demonstrate how the Convention can be applied through practical action.

22. The articles addressing child survival and the right to the highest attainable standard of health (articles 6 and 24) serve as the legal and policy-making framework for government action in the 1990s to reach key goals by, or before, the year 2000 to reduce infant and child mortality by one third or, respectively, to 50 and 70 per 1,000 live births, whichever is less; to work towards targets for reducing maternal deaths by 50 per cent and childhood malnutrition by 50 per cent; and to provide universal access to safe water and sanitary means of excreta disposal.

23. Articles 28 and 29, which stipulate standards for education, will be the underpinning for UNICEF action in assisting Governments to attain the targets adopted by the World Conference on Education for All. By reducing adult illiteracy, particularly among women, to one half of its 1990 level, States will help families to gain access to the knowledge they can use as a basic and effective means of improving the quality of their lives and survival and development prospects for their children.

24. Articles 18 and 31 set standards relevant to the care and protection of children during the critical early years of their psycho-social and intellectual development. The targets adopted by the Executive Board for the expansion of low-cost community facilities for child care and the creation of an enabling environment that will help families in their role as the primary care-givers constitute the basis for UNICEF cooperation in implementing these articles.

25. Articles 11, 19 to 23 and 32 to 40 address issues that, in the language of UNICEF, pertain to children in especially difficult circumstances. The policy decisions of the Executive Board at its 1986 and 1990 sessions (1986/12 and 1990/6), and approval of goals for children in especially difficult circumstances, have committed UNICEF to finding effective and innovative ways of helping these children and of tackling the root causes that lead to their circumstances.

26. The Convention strengthens ongoing efforts to address the special needs of children in especially difficult circumstances. UNICEF will continue to work with Governments, United Nations agencies, NGOs and agencies of the bilateral system to tackle the root causes of problems facing these children in an effort to reduce the incidence of abuse and exploitation and to protect and rehabilitate street children, refugee children, victims of war and natural disasters, orphans, disabled children and those trapped in the bondage of the

drug trade, prostitution or other forms of exploitative labour. In its cooperation and alliance with other organizations, UNICEF will continue to make comparative advantage a determining factor in its interventions, since other groups or agencies are often in a better position to intervene directly and effectively.

27. The Convention sets standards protecting children's right to participate fully, in accordance with their evolving capacity, in all facets of community life (articles 12, 13, 30 and 31). Children in especially difficult circumstances are least able to exercise these rights. They are marginalized by society and are very often remembered only when their actions are believed to threaten public order. These provisions of the Convention are particularly relevant to the most deprived and vulnerable children, and the actions of UNICEF and all agencies working for their benefit should be guided by these principles.

28. The special situation of girls will be examined in relation to the implementation of article 2 on non-descrimination in the application of all the Convention's provisions, and in relation to article 24.3 on the need to abolish traditional practices prejudicial to the health of children.

29. To examine how children's rights can be best integrated into UNICEF programmes of cooperation, the International Child Development Centre at Florence, Italy, commissioned seven country case studies through the UNICEF offices in Bolivia, Brazil, Burkina Faso, Kenya, Mozambique, Sri Lanka and Thailand. (These case studies are available in English on request.) These studies and ongoing activities in countries such as Barbados, Ecuador, El Salvador, Viet Nam and others lead to three main conclusions:

(a) Programmes for children are enhanced when they are undertaken jointly with advocacy for children's rights;

(b) The Convention has the potential to strengthen national movements and alliances for children and it opens new doors for cooperation among Governments, UNICEF and NGOs;

(c) The Convention enhances the conceptual framework of the country situation analysis, which UNICEF and Governments undertake, and can be a basis for developing comprehensive national policies for human development.

C. Monitoring the implementation of children's rights

30. While it is the responsibility of the Committee on the Rights of the Child to monitor States' compliance with the Convention, a function in which UNICEF has no direct role, UNICEF monitors the situation of children throughout the various phases of the country programming exercise. Situation analyses, programme evaluations and various studies on specific issues affecting children are ongoing processes at national and community levels. Data generated through these activities enable Governments to assess their

progress towards achieving national goals and to develop systems for detecting special problems. This information also forms a large part of the basis of the global advocacy for children undertaken by UNICEF and others.

31. Over the next decade, UNICEF will be monitoring progress towards attainment of the goals and targets for children in the 1990s, and in so doing, will be helping Governments to strengthen their national capacities for assessing progress towards the realization of the rights set forth in the Convention. These UNICEF activities will contribute to efforts at the national level to monitor progress towards implementing the Convention. UNICEF will encourage Governments to give priority attention to monitoring their own compliance with the Convention at national and community levels, since the monitoring process is, above all, a mechanism for enabling Governments to assess their progress towards achieving human development goals.

32. Some countries are already moving in this direction. For example, the States members of the South Asian Association for Regional Cooperation have committed themselves to reporting at their regional gatherings on progress in implementing the Convention, thereby establishing a system for addressing common regional concerns relating to children. By developing national and regional monitoring systems, Governments will also create a favourable climate for cooperative approaches to implementing the Convention.

33. Monitoring at national and regional levels will also enable Governments and regional intergovernmental bodies to develop common strategies for the attainment of standards set by the Convention and to define comprehensive social policies for broader human development to be reflected in national development plans. The monitoring process will also enable Governments to determine the levels of resources needed to achieve these goals.

34. If political leaders, policy makers, religious leaders and others who influence social attitudes increase their awareness of issues affecting children and develop a greater understanding of the importance of respecting children's integrity and protecting their dignity, knowledge could become children's best protector against deliberate and unwitting forms of abuse. In many cases, information and advocacy on such issues are becoming important forms of UNICEF cooperation.

35. As countries deal more effectively with the most basic needs of their children, programming requires the development of appropriate indicators for measuring quality of life improvements for children. In some instances, the major share of UNICEF investments is likely to shift towards support for gathering and disseminating information at national and regional levels, to develop a critical body of knowledge on issues affecting children and to promote popular understanding of the vision of children's rights embodied in the Convention.

36. Within the framework of the country programme, and in collaboration with the Centre for Human Rights and other bodies of the United Nations system, UNICEF will continue to cooperate with Governments and other partners at national and regional levels as they implement the Convention. UNICEF support will cover activities in the following areas:

(a) The creation or further development of national mechanisms to gather gender-specific and area-specific data on children which can be used as a basis for policy development and for States' reports on compliance with the Convention. In this regard, UNICEF is preparing revised guidelines for country situation analyses to ensure that the standards set by the Convention and the range of issues it raises are systematically incorporated into the scope of these analyses. It is important to stress, however, that the situation analysis will also continue to address other issues such as the role and status of women in society;

(b) Support enabling Governments to review legislation pertaining to children in order to ensure compliance with the norms of the Convention and with international humanitarian laws for child protection. In this undertaking, UNICEF will be guided by the branch of the United Nations Centre for Human Rights that is responsible for advisory services and technical assistance in the field of human rights;

(c) Support for relevant studies on issues related to the Convention;

(d) Information and education campaigns to promote knowledge and awareness of children's rights among children, youth and influential groups;

(e) Training to ensure that Government and UNICEF staff, United Nations agencies and NGOs, whose activities impact on children, are familiar with the provisions of the Convention and act to ensure that their programmes have a positive influence on progress towards the full implementation of the Convention.

D. Role of UNICEF in industrialized countries

37. The Convention on the Rights of the Child is universally applicable and it sets standards that many industrialized countries have yet to attain in spite of their level of economic development. UNICEF understands its role in the implementation of the Convention to be global in scope, and while the programme budget of UNICEF will continue to be focused on programmes in developing countries, "UNICEF advocacy will encompass programme approaches and policy analyses that are applicable in both industrialized and developing countries". 3/

38. Many children in industrialized countries are the victims of development gone awry. Violence, isolation, inadequate opportunities for play and socialization in a caring and supportive community or family environment are some of the reasons why growing numbers of children abuse alcohol and drugs, or engage in other forms of anti-social behaviour. In extreme cases, adolescents are choosing suicide to relieve their despair.

39. Growing numbers of children are also living in critical poverty on the fringes of their affluent societies, in circumstances that differ little from those of many children in developing countries. Deprivation, the lack of

adequate child-care facilities, growing stress on families and particularly on women, are conditions forcing children out of their families and into foster care and institutions, or into the streets. The recent widespread publicity on children in institutions in an Eastern European country has focused attention on the wider issues of stress on families, when traditional support systems no longer function. Many child rights advocates in Europe are now questioning the long-term benefits of foster placement, and the emphasis is shifting in favour of interventions to support families as the primary response to children caught in difficult intra-familial situations.

40. In industrialized countries, discrimination against minorities and indigenous peoples and the growing number of refugees and immigrants - many of them illegal - have created untenable circumstances for thousands of children living in these countries. For many of them, their right to a nationality, to education, to basic health care and an adequate standard of living remain unfulfilled promises.

41. The countries of the industrialized world also share the responsibility for many violations of children's rights in developing countries. Direct forms of exploitation, such as abusive labour, the use of children as drug runners and the sale and trafficking of children for prostitution, child pornography and illegal adoption, are aided and abetted by international networks often based in industrialized countries. These networks are rich and powerful, and they seem to operate with widespread immunity in both industrialized and developing countries. National structures for protecting children from the worst forms of abuse and exploitation have collapsed in many developing countries. Therefore, implementation of the Convention will need to be underpinned by global solidarity and international cooperation if the rights of many children in developing countries to survive, to be protected and to develop are to be upheld. Shared problems such as drug trafficking, drug abuse and environmental degradation can only be solved through north-south cooperation.

42. The principle of global solidarity is at the core of the evolving role of UNICEF as a global advocate for children. UNICEF will continue to build on its alliances with parliamentarians, religious leaders, professional groups and children's rights advocates to focus attention on the rights of the most vulnerable children in the industrialized world. UNICEF guidelines for conducting situation analyses in developing countries are applicable to other countries and can be made available on request.

43. UNICEF is fortunate to have its National Committees as partners. Some Committees have already joined coalitions, which include NGOs and governmental child welfare agencies, to examine how the Convention can be applied in their countries. The secretariat will continue the dialogue with National Committees to determine how UNICEF can best play its role of global advocate for children and, in so doing, support implementation of the Convention in industrialized countries.

44. The networks of international NGOs, which have so effectively influenced the drafting of the Convention and generated political support for its adoption, will continue to be important allies for National Committees and the secretariat in the area of children's rights. The NGO Group for the Convention on the Rights of the Child is already discussing its strategies for collaboration with the Centre for Human Rights and the Committee on the Rights of the Child in the implementation of the Convention.

45. In cooperation with National Committees, NGOs and the International Child Development Centre at Florence, the secretariat will further develop its activities to promote the Convention in industrialized countries through:

(a) Information and education campaigns to promote knowledge and awareness of children's rights among children, youth and influential groups;

(b) Activities with schools and youth organizations to enable children to participate in debates on the implementation of the Convention and to express their views on their own situation;

(c) Strengthening the capacity of National Committees to undertake advocacy and other activities to support implementation of the Convention;

(d) Information exchange on policies and programmes in developing countries that are also applicable in specific situations in industrialized countries;

(e) Studies and research on various technical aspects of applying the Convention in specific circumstances where children are at greatest risk and where the problem is common to both developing and industrialized countries, for example, studies on the situation of children of migrants and the complementarity between implementing children's rights and women's rights.

E. UNICEF cooperation at the international level

46. While article 5 of the Convention recognizes that families have the primary responsibility for the care and protection of children, article 20 obligates States to provide special assistance to children whose families either do not or can no longer act in their best interest. But the Convention goes further, breaking new ground for international human rights treaties, by introducing the idea that the protection of children's rights is the business of all international agencies involved in aid programmes and in international cooperation for development. Violations of children's rights, either through deliberate acts of aggression or through political blunders, short-sighted policies and negligence can no longer be seen as a concern for those most directly responsible for children's well-being or of the children who are the victims.

47. The theme of international cooperation runs throughout the text of the Convention, obligating the organizations of the United Nations and other

competent bodies to work with States and the Committee on the Rights of the Child in ensuring that the countries needing help can have recourse to various forms of assistance. In this sense, international agencies are also parties to this Convention, and its implementation must be seen to have an important international dimension.

48. Advocacy for the well-being of children has become a major UNICEF function and the experience gained in this area during the past decade is of particular relevance to the implementation of the Convention. Advocacy has been an integral part of UNICEF support for specific projects at the country level for many years, but it has now become a broader process at international and regional levels through which UNICEF tries to engender political support and additional resources for children.

49. The work UNICEF is undertaking to implement the Convention is an example of how advocacy and programming have become integral components of one process. UNICEF can only play a limited programmatic role in many areas that are of major importance for achieving the standards set by the Convention, such as building the economic base for an attack on critical poverty, eliminating armed conflicts and increasing the expenditures and investments in human development. However, the organization has experienced some success in using its capacity for advocacy to address many of those issues and it has reason to believe that further breakthroughs on these fronts are within reach.

50. The Convention on the Rights of the Child is the legal foundation on which UNICEF proposes to continue to build its advocacy for children programmes at international, regional and national levels. The World Declaration on the Survival, Protection and Development of Children and the Plan of Action for implementing the Declaration in the 1990s are the concrete expression of the commitment of world leaders to marshall the necessary resources to transform the promises of the Convention into concrete possibilities for the full development of human potential. UNICEF will use the means at its disposal to keep attention focused on these commitments and will work closely with all appropriate international agencies to ensure that efforts to promote respect for children's rights and to implement the necessary programmes, complement the activities of the Centre for Human Rights, as lead agency for implementation of the Convention.

51. In keeping with article 45, which defines the role that UNICEF and other United Nations organs and agencies are expected to play to complement the responsibility vested in the Committee on the Rights of the Child, UNICEF participated in an inter-agency consultation on (a) the role of each agency and United Nations body in relation to the work of the Committee; (b) articles of the Convention that are of special interest to each organization; (c) possible modalities for cooperation with the Committee on the Rights of the Child; and (d) suggestions on the type of information that States might be asked to provide in their reports to the Committee. The proceedings of this meeting will provide background information for the first meeting of the Committee on the Rights of the Child later this year and pave the way for the

future cooperation between the Committee and the agencies of the United Nations.

52. The desirability of developing early warning systems to detect deteriorations in the situation of children, which pose serious threats to their survival, protection and development, have also been discussed. This system could enable the international community to respond appropriately when children are seriously threatened by natural or man-made disasters, or when their rights are being violated on a massive scale. It could also serve as a mechanism through which States could appeal for help in extraordinary situations that may occur in the intervening period between their five-yearly reports to the Committee on the Rights of the Child.

53. Until this Committee meets, following the election of its members in February 1991, the comprehensive strategy for cooperating with the Committee on the Rights of the Child cannot be developed fully. However, the Centre for Human Rights, UNICEF and other appropriate agencies will collaborate to prepare a comprehensive briefing for the newly elected Committee members on the situation of children and conditions affecting the enjoyment of their rights. The Executive Board may wish to make recommendations on UNICEF interaction with this Committee as foreseen in article 45 of the Convention.

54. UNICEF will also cooperate with the Centre for Human Rights to disseminate, as widely as possible, the text of the Convention and information on its provisions in forms and in languages that are appropriate to various audiences, paying special attention to children and youth as important target groups. These activities will be undertaken within the framework of ongoing information, advocacy and programming activities.

55. Through the International Child Development Centre at Florence, UNICEF is encouraging research and policy studies on the implementation of the Convention in various social, cultural and economic settings, with special attention to developing effective strategies for introducing the legal concept of children's rights into the programming process.

56. UNICEF activities in all the above-mentioned areas are being undertaken in cooperation with other United Nations agencies and NGOs, as appropriate, and in close consultation with the branches of the Centre for Human Rights responsible for technical assistance, advisory and information services, the implementation of standards, legislation and the prevention of discrimination.

III. CONCLUSIONS

57. UNICEF activities in support of the implementation of the Convention on the Rights of the Child are guided, above all, by the spirit of the Charter of the United Nations, which states in chapter IX, article 55, on international economic and social cooperation, that the United Nations shall promote:

"...

"b. Solutions of international economic, social, health and related problems; and international cultural and educational co-operation; and

"c. Universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion."

58. Through practical action since its creation, UNICEF has contributed significantly to realizing the ideals of the Charter. The Convention on the Rights of the Child provides UNICEF and other operational bodies of the United Nations family with a new opportunity to demonstrate how the principles of human rights can become an integral part of the daily work of development agencies.

IV. RECOMMENDATIONS

59. The Executive Director recommends that the Executive Board:

(a) Express its satisfaction with the unprecedentedly rapid entry into force of the Convention on the Rights of the Child;

(b) Take note of resolution 45/105 adopted by the General Assembly at its forty-fifth session on the implementation of the said Convention and urge all States that have yet to ratify the Convention to do so at the earliest possible date;

(c) Request the secretariat to continue its work to facilitate early ratification of the Convention by member States;

(d) Endorse the following proposals for cooperation with developing countries:

(i) The creation or further development of national mechanisms to gather gender-specific and area-specific data on children that can be used as a basis for policy development and for States' reports on compliance with the Convention. In this regard, UNICEF is preparing revised guidelines for the country situation analyses to ensure that the standards set by the Convention and the range of issues it raises are systematically incorporated into the scope of these analyses;

(ii) Support enabling Governments to review legislation pertaining to children in order to ensure compliance with the norms of the Convention and with international humanitarian laws for child protection. In this undertaking, UNICEF will be guided by the branch of the Centre for Human Rights, which is responsible for

advisory services and technical assistance in the field of human rights;

(iii) Support for relevant studies on Convention-related issues;

(iv) Training to ensure that Governments and UNICEF staff, United Nations agencies and NGOs, whose activities impact on children, are familiar with the provisions of the Convention and act to ensure that their programmes have a positive influence on progress towards the full implementation of the Convention;

(v) Information and education campaigns to promote knowledge and awareness of children's rights among children, youth and influential groups;

(e) Also endorse the following proposals for activities in industrialized countries:

(i) Information and education campaigns to promote knowledge and awareness of children's rights among children, youth and influential groups;

(ii) Activities with schools and youth organizations to enable children to participate in debates on the implementation of the Convention and to express their views on their own situation;

(iii) Strengthening of the capacity of National Committees to undertake advocacy and other activities to support implementation of the Convention;

(iv) Information exchange on policies and programmes in developing countries that are also applicable in specific situations in industrialized countries;

(v) Studies and research on various technical aspects of applying the Convention in specific circumstances where children are at greatest risk and where the problem is common to both developing and industrialized countries, for example, studies on the situation of children of migrants and the complementarity between implementing children's rights and women's rights;

(f) Call upon the UNICEF secretariat to take all necessary measures to discharge its global responsibilities under this Convention in cooperation with the Centre for Human Rights and concerned governmental and non-governmental bodies;

(g) Call upon the organs, organizations and bodies of the United Nations system and other competent bodies, including NGOs, to cooperate with the Centre for Human Rights and Governments in discharging their responsibilities under the Convention.

Notes

1/ The Rights of the Child, Human Rights fact sheet No. 10, United Nations Centre for Human Rights, p. 1.

2/ "Development goals and strategies for children: priorities for UNICEF action in the 1990s" (E/ICEF/1990/L.5), para. 130.

3/ "Medium-term plan for the period 1990-1993" (E/ICEF/1990/3 and Corr.1, para. 136).